

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA, : Case No. CR-1-02-143
: Plaintiff, : Judge Dlott
v. :
: SAMUEL P. NICKOLAS, : **NOTICE OF APPEAL**
: Defendant. :

Notice is hereby given that Samuel P. Nickolas appeals, to the United States Court of Appeals for the Sixth Circuit, the Judgment and Sentence entered in this action on October 31, 2005.

Respectfully submitted,

STEVEN S. NOLDER
ACTING FEDERAL PUBLIC DEFENDER

s/W. Kelly Johnson

W. Kelly Johnson (0037241)
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Attorney for Defendant
Samuel P. Nickolas

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon Amul Thapar, Assistant United States Attorney, by U.S. Mail and electronic filing, this ^{1st} day of November, 2005.

s/W. Kelly Johnson

W. Kelly Johnson